

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

USGEN NEW ENGLAND, INC., a subsidiary  
of NATIONAL ENERGY & GAS & GAS  
TRANSMISSION, INC. f/k/a PG&E  
NATIONAL ENERGY GROUP, INC.,

Plaintiff,

v.

BENTLY NEVADA, LLC f/k/a BENTLY  
NEVADA CORPORATION, LLC; AND  
BENTLY PRESSURIZED BEARING  
COMPANY f/k/a BENTLY NEVADA  
CORPORATION,

Defendants.

Civil Action No. 04 CV 12629 RWZ

FILED  
CLERK OF COURT  
DISTRICT OF MASSACHUSETTS  
2/9/05

PLAINTIFF'S MOTION FOR ADMISSION PRO HAC VICE

Plaintiff, USGEN New England, Inc., a subsidiary of National Energy & Gas & Gas Transmission, Inc. f/k/a Pg&e National Energy Group, Inc. ("USGEN"), by its undersigned counsel, moves, pursuant to Rule 83.5.3 of the Local Rules of the United States District Court for the District of Massachusetts, for an order permitting William T. Sebesta, Esq. and Brook F. Minx, Esq. to appear on its behalf in this case.

As grounds for this motion, as set forth in the declarations of William T. Sebesta and Brook F. Minx, attached hereto as Exhibits A and B, respectively, USGEN states as follows:

1. William T. Sebesta and Brook F. Minx are members in good standing in every jurisdiction where they have been admitted to practice;

2. There are no disciplinary proceedings pending against William T. Sebesta and/or Brook F. Minx as members of the bar of any jurisdiction; and

3. William T. Sebesta and Brook F. Minx are familiar with the Local Rules of the United States District Court for the District of Massachusetts.

4. Counsel for defendants does not oppose this motion.

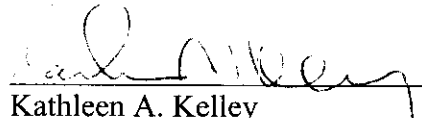
WHEREFORE, USGEN respectfully requests that the Court permit William T. Sebesta and Brook F. Minx to appear on its behalf in this matter.

Dated: February 8, 2005

Respectfully submitted,

USGEN NEW ENGLAND, INC., A  
SUBSIDIARY OF NATIONAL ENERGY  
& GAS & GAS TRANSMISSION, INC.  
f/k/a PG&E NATIONAL ENERGY  
GROUP, INC.,

By its attorneys,



Kathleen A. Kelley

BBO No. 562342

HARE & CHAFFIN

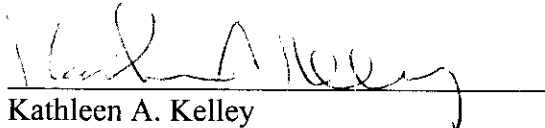
160 Federal Street, 23rd Fl.

Boston, MA 02110

617-330-5000

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished this 8th day of February, 2005 by mail to counsel for the defendants.



Kathleen A. Kelley

453001.020205

A

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

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NATIONAL ENERGY GROUP, INC.,

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BENTLY NEVADA, LLC f/k/a BENTLY  
NEVADA CORPORATION, LLC; AND  
BENTLY PRESSURIZED BEARING  
COMPANY f/k/a BENTLY NEVADA  
CORPORATION,

Defendants.

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Civil Action No. 04 CV 12629 RWZ

DECLARATION OF WILLIAM T. SEBESTA IN SUPPORT  
OF MOTION FOR ADMISSION PRO HAC VICE

I, William T. Sebesta, declare, under the penalties of perjury, as follows:

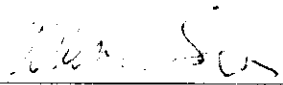
1. I am a member of the firm of Donato, Minx and Brown, P.C., 3200 Southwest Freeway - Ste. 2310, Houston, Texas 77027-1112.
2. I am a member in good standing of the Bar of the State of Texas (1992). I am also admitted to practice in the United States District Court for the Northern District of Texas, United States District Court for the Southern District of Texas, United States District Court for the Western District of Texas, United States District Court for the Eastern District of Texas, and the United States Court of Appeals for the Fifth Circuit. No disciplinary proceedings are pending against me as a member of the bar in any jurisdiction.

3. This case involves factual and legal issues with which I am familiar. I have developed expertise in, and stay abreast of, the case law in this field.

4. I have reviewed and am familiar with the Local Rules of the United States District Court for the District of Massachusetts.

5. For the foregoing reasons, I respectfully request that this Court allow me to appear and practice in this matter on behalf of plaintiff, USGEN New England, Inc., a subsidiary of National Energy & Gas & Gas Transmission, Inc. f/k/a PG&E National Energy Group, Inc.

SIGNED UNDER THE PENALTIES OF PERJURY  
THIS 4<sup>th</sup> DAY OF FEBRUARY, 2005.

  
\_\_\_\_\_  
William T. Sebesta

453001.020205

**B**

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

USGEN NEW ENGLAND, INC., a subsidiary  
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TRANSMISSION, INC. f/k/a PG&E  
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Civil Action No. 04 CV 12629 RWZ

BENTLY NEVADA, LLC f/k/a BENTLY NEVADA CORPORATION, LLC; AND BENTLY PRESSURIZED BEARING COMPANY f/k/a BENTLY NEVADA CORPORATION,

Defendants.

DECLARATION OF BROOK F. MINX IN SUPPORT  
OF MOTION FOR ADMISSION PRO HAC VICE

I, Brook F. Minx, declare, under the penalties of perjury, as follows:

1. I am a member of the firm of Donato, Minx and Brown, P.C., 3200 Southwest Freeway - Ste. 2310, Houston, Texas 77027-1112.
2. I am a member in good standing of the Bar of the State of Texas (1994). I am also admitted to practice in the United States Supreme Court, United States Court of Appeals for the Fifth Circuit, and the United States District Court for the Southern District of Texas. No disciplinary proceedings are pending against me as a member of the bar in any jurisdiction.

3. This case involves factual and legal issues with which I am familiar. I have developed expertise in, and stay abreast of, the case law in this field.

4. I have reviewed and am familiar with the Local Rules of the United States District Court for the District of Massachusetts.

5. For the foregoing reasons, I respectfully request that this Court allow me to appear and practice in this matter on behalf of plaintiff, USGEN New England, Inc., a subsidiary of National Energy & Gas & Gas Transmission, Inc. f/k/a PG&E National Energy Group, Inc.

SIGNED UNDER THE PENALTIES OF PERJURY  
THIS 7<sup>th</sup> DAY OF FEBRUARY, 2005.

  
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Brook F. Minx

453001.020205